

COPY

STATE OF INDIANA)

IN THE GIBSON ☐ SUPERIOR COURT

) SS:

☒ CIRCUIT COURT

COUNTY OF GIBSON)

2010 TERM

STATE OF INDIANA

FILED

CAUSE NO. 260011002-FC-00002

VS.

FEB 2 2010

AGENCY CASE NO.

GEORGE W. DUNCAN

COUNT ONE

Lucy Woodburn
Clark Gibson Circuit CourtINFORMATION:
SECURITIES FRAUD

Charles Finnerty, swears or affirms that:

GEORGE W. DUNCAN, on or about the year(s) of 2007 and/or 2008, at the County of Gibson, in the State of Indiana, did then and there knowingly or intentionally, in connection with the offer or sale of a security, directly or indirectly:

- (1) employed a device, scheme or artifice to defraud,
- (2) made an untrue statement of material fact, or omitted to state a material fact necessary in order to make the statement made, in light of the circumstances under which they were made, not misleading; or,
- (3) engaged in an act, practice or course of business that operates or would operate as a fraud or deceit upon another person.

Specifically, George W. Duncan omitted to state to Joe Boxell that he was not registered as a Broker-Dealer in the State of Indiana.

All contrary to the form of the statute in such cases made and provided, to-wit: Indiana Code §23-2-1-12 (2007), Securities Fraud, a Class C Felony, and against the peace and dignity of the State of Indiana.

I affirm under the penalties for perjury that the foregoing representations are true to the best of my knowledge, this the 1st day of FEB, 2010.

Approved this 1 day of February 2010.

Charles Finnerty
Charles Finnerty, GCSD

[Signature]
Prosecuting Attorney

STATE OF INDIANA)

IN THE GIBSON ☐ SUPERIOR COURT
☒ CIRCUIT COURT

COUNTY OF GIBSON) SS:

2010 TERM

STATE OF INDIANA

CAUSE NO.

260011002-FC-00002

VS.

FEB 2 2010

AGENCY CASE NO.

GEORGE W. DUNCAN

COUNT TWO

Geoff W. Duncan
Clerk Gibson Circuit Court

INFORMATION:

UNLAWFUL ACTS RELATED TO OFFER OR SALE OF SECURITY

Charles Finnerty, swears or affirms that:

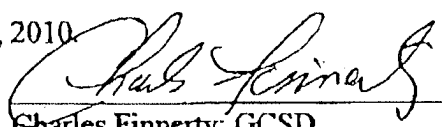

(1) GEORGE W. DUNCAN, on or about the year(s) of 2007 and/or 2008, at the County of Gibson, in the State of Indiana, did then and there knowingly or intentionally, offer a security, where said security was neither registered with the Indiana Secretary of State, Securities Division, a federal covered security, nor was it exempted from registration under I. C. §23-2-1-2 (2007).

Specifically, George W. Duncan did offer to sell an investment contract to Joe Boxell.

All contrary to the form of the statute in such cases made and provided, to-wit: Indiana Code §23-2-1-3 (2007), Unlawful Acts Related to Offer Or Sale Of Security, a Class C Felony, and against the peace and dignity of the State of Indiana.

I affirm under the penalties for perjury that the foregoing representations are true to the best of my knowledge, this the 1st day of Feb, 2010.

Approved this 1 day of February, 2010.


Charles Finnerty, GCSD
Prosecuting Attorney

STATE OF INDIANA)
) SS:
COUNTY OF GIBSON

IN THE GIBSON ☐ SUPERIOR COURT
☒ CIRCUIT COURT
2010 TERM

STATE OF INDIANA

CAUSE NO. 26001 1 0 0 2 - FC - 00002

VS.

AGENCY CASE NO.

GEORGE W. DUNCAN

COUNT THREE

Jacky Woodman
Clerk Gibson Circuit Court

INFORMATION:

BROKER-DEALER REGISTRATION REQUIRED

Charles Finnerty, swears or affirms that:

(1) GEORGE W. DUNCAN, on or about the year(s) of 2007 and/or 2008, at the County of Gibson, in the State of Indiana, did then and there knowingly or intentionally, transact business as a broker-dealer as defined in I.C. §23-2-1-1 (2007) without being registered with the Indiana Secretary of State, Securities Division, as required by law, and without being exempt from registration..

Specifically, George W. Duncan did offer to sell an investment contract to Joe Boxell.

All contrary to the form of the statute in such cases made and provided, to-wit: Indiana Code §23-2-1-8 (2007), Broker-Dealer Registration Required, a Class C Felony, and against the peace and dignity of the State of Indiana.

I affirm under the penalties for perjury that the foregoing representations are true to the best of my knowledge, this the 1st day of Feb, 2010.

Approved this 1 day of February, 2010.

Charles Finnerty
Charles Finnerty, GCSD

[Signature]
Prosecuting Attorney

STATE OF INDIANA)
) SS:
COUNTY OF GIBSON)

IN THE GIBSON ☐ SUPERIOR COURT
☒ CIRCUIT

2010 TERM

FILEDCAUSE NO. ~~26001~~ 1002-FC-00002

STATE OF INDIANA

FEB 2 2010

VS.

AGENCY CASE NO. 2008-00959

GEORGE W. DUNCAN

Becky Woodhouse
Clerk Gibson Circuit Court**AFFIDAVIT FOR PROBABLE CAUSE**

Comes now Charles Finnerty who swears or affirms that he believes and has good cause to believe that George W. Duncan (Defendant) committed Security Fraud-related offenses, including Securities Fraud, Unlawful Acts Related to Offer or Sale of Security, and/or Failure to Register as a Broker-Dealer, for the following reason (s) to-wit:

1. That your affiant is a Detective with the Gibson County Sheriff's Department. (Write observations in narrative form).

BACKGROUND

I am a Detective employed by the Gibson County Sheriff's Department. Investigator Charles Williams of the Indiana Secretary of State, Securities Division, and I became involved in an investigation of the defendants, DANIEL W MURRY ("Murry"), D.O.B. 3/18/1957, W/M, SSN XXX-XX-6279, last known address of 610 E State Street, Princeton, IN 47670, and GEORGE W DUNCAN ("Duncan"), D.O.B. 8/20/1957, W/M, SSN XXX-XX-7550, last known address of 3219 W Sycamore Street, Princeton, IN 47670.

The investigation arose from suspicion that Murry and Duncan had committed violations of the Indiana Securities Act ("the Act"). I believe my investigation shows Murry and Duncan committed violations of the Act. I based this conclusion upon a review of relevant business and bank records and interviews of witnesses with personal knowledge of the actions detailed herein.

Murry was the president and secretary of Healthcare Information Technology Corporation ("HCITCO"), an Indiana for profit domestic corporation created in Indiana on 6/17/99 and

administratively dissolved on 1/8/09. Murry was also the president and secretary of HIPPA Resources Management, Inc ("HRM"), an Indiana for profit domestic corporation created in Indiana on 12/28/01 and administratively dissolved on 7/7/09.

Murry and Duncan solicited investments from individuals to invest in HCITCO or HRM. These individuals would give Murry the money based on the premise they were investing in either HCITCO or HRM. The money would then be deposited into Murry's personal bank account at Fifth Third Bank in Princeton, Indiana, and never used for investment purposes. Some of the funds from this account went to Duncan. The total amount of money illegally taken by Murry from the victims listed below is \$115,000.

JOE BOXELL

Joe Boxell ("Boxell") is a resident of Gibson County, Indiana. In either the Fall of 2007 or Spring of 2008, Duncan approached Boxell about investing in a company owned by Murry. The discussions between Boxell and Duncan were at Boxell's business located in Princeton, Indiana. Duncan promised Boxell that he could double his investment. Boxell was not going to have any involvement in the company, other than provide the investment funds. Duncan did not tell Boxell that he was not licensed to sell a security. In the end, Boxell decided not to invest with either Murry or Duncan.

ANDREW COLLINS

Andrew Collins ("Collins") is a resident of Gibson County, Indiana. In 2003 Murry approached Collins about investing money into HCITCO because he was going to sell the business and he needed capital from investors. Collins was promised a return of \$20,000 to \$25,000 on a \$5,000 investment.. Collins was not going to have any involvement in the

company, other than provide the investment funds. Murry did not tell Collins he was not licensed to sell a security, and the security itself was not registered.

On 9/30/03 Collins wrote a check for \$4,000 on his Integra Bank account made payable to Dan Murry. This check was endorsed and cashed by Murry. To date, Collins has not received any kind of payment from Murry, HRM, or HCITCO.

CLAYTON DAME

Clayton Dame ("Dame") is a resident of Gibson County, Indiana. In December 2006, Duncan told Dame that he had a friend, Murry, who was getting ready to sell a business and needed to raise capital from investors. As such, Duncan, Murry and Dame had a meeting at Murry's home in Princeton, Indiana, in December 2006 where Murry told Dame that he was selling one of his companies and needed investors. Dame was not going to have any involvement in the company, other than provide the investment funds.

On 12/8/06, Dame executed an "Agreement for Investment and For Covenant Not to Compete." This investment agreement was also executed by Murry on 12/8/06. Paragraph B on page 1 of this investment agreement states, "Investor (Dame) wants to invest money into the HCITCO organization." Paragraph 1.2 on page 1 of this investment agreement states in part, "Investor is paying HCITCO the sum of \$4,000 as the investment price into HCITCO. HCITCO is anticipating a return of a minimum of 2.67 times the Investors initial investment..." Paragraph 3.1(B) on page 3 of this investment agreement states in part, "HCITCO is not in violation of or in default with respect to any applicable law or regulation of any governmental agency..."

Dame gave Murry a cashiers check from Evansville Teachers Credit Union to HCITCO dated 12/3/06 for \$4,000. This check was deposited on 12/8/06 into Murry's account at Fifth Third Bank, in Princeton, Indiana, account number 466xxxx340. To date, Dame has not received any money from Murry, Duncan, or HCITCO.

GREG GEHL

Greg Gehl ("Gehl") is a resident of Gibson County, Indiana. Duncan arranged a meeting for Gehl to meet Murry. At this meeting, Murry indicated he was selling his business and needed investors. This meeting was at the Sandy Acre trailer Court in Gibson County, Indiana. Gehl was not going to have any involvement in the company, other than provide the investment funds.

On 4/10/06, Gehl executed an "Agreement for Investment and For Covenant Not to Compete." This investment agreement was also executed by Murry on 4/10/06. Paragraph B on page 1 of this investment agreement states, "Investor (Gehl) wants to invest money into the HRM organization." Paragraph 1.2 on page 1 of this investment agreement states in part, "Investor is paying Murry the sum of \$2,000 as the investment price into HRM. HRM fully intends to return a total return minimum of 3 times the Investors initial investment..." Paragraph 3.1(B) on page 2 of this investment agreement states in part, "HRM is not in violation of or in default with respect to any applicable law or regulation of any governmental agency..."

Gehl wrote a check dated 4/10/06 on the Sandy Acres Mobile Home Park account at Old National Bank for \$2,000 made out to HRM-Dan Murry. Gehl gave the check to Murry at the Sandy Acre trailer Court in Gibson County, Indiana. This check was endorsed and deposited by HRM and Murry. To date, Gehl has not received any money from HRM, Murry, or Dunacn.

KENNETH HALBIG

Kenneth Halbig ("Halbig") is a resident of Gibson County, Indiana. In August of 2006, Halbig was approached by Duncan who told Halbig that there was a money making opportunity for him with Murry. On the same day Halbig was approached by Duncan, a meeting was set up with Murry. At this meeting, Murry told Halbig that he owns two companies, HCITCO and HRM, and both needed capital from investors because Murry was getting ready to sell HCITCO and HRM. Murry promised Halbig a return of 3.8% to 4.2% if Halbig invested that very same day. Halbig was not going to have any involvement in the company, other than provide the investment funds. On 8/11/06, Halbig presented a cashier's check from Old National Bank for \$5,000 made out to Dan Murry and HEITCO (a/k/a HCITCO).

On 8/11/06, Halbig's check for \$5,000 was deposited into Murry's account at Fifth Third Bank, account number 466xxxx340, in Princeton, Indiana. To date, Halbig has not been paid anything by Murry, Duncan, HRM or HCITCO.

DONALD SALEE, MD

Donald Salee, MD ("Salee") is a resident of St Louis, Missouri. On 1/17/06 L&E Imaging, LLC, a Missouri LLC, entered into an "Agreement for Sale of Shares and For Covenant Not to Compete." Murry signed this investment agreement on behalf of HRM, and Salee signed on behalf of L&E Imaging. Paragraph B on page 1 of this investment agreement states in part, "Buyer wants to invest in HRM..." Paragraph 1.2 on page 1 of this investment agreement states, "Buyer is paying HRM the sum of \$100,000 as the purchase price for the Shares. HRM acknowledges receipt of this sum." Paragraph 1.6 on page 2 of this investment agreement states, "Buyer represents that it is acquiring the Shares for its own investment and with no present intention of distributing or reselling the Shares or any part thereof and that no commission or

other remuneration has been paid or given for soliciting any prospective buyer of, or for selling, any of the Shares." Paragraph 3.1(B) on page 3 of this investment agreement states in part, "HRM is not in violation of or in default with respect to any applicable law or regulation of any governmental agency..." Murry promised Salee a return of \$5 million.

On 1/17/06 Salee was provided with a "Receipt of Funds," which indicates that HRM has received \$100,000 from Salee. This receipt is signed by both Duncan and Murry. On 1/17/06 Salee wrote a check for \$10,000 made out to HIPAA Resources Management ("HRM"). This check was deposited on 10/31/06 into Murry's account at Fifth Third Bank in Princeton, Indiana, account number 466xxxx340. On 1/17/06 Salee wrote a check for \$30,000 made out to HRM and Dan Murry. The memo line states, "HRM Investments." This check was deposited on 12/21/06 into Murry's account at Fifth Third Bank in Princeton, Indiana, account number 466xxxx340. To date, Salee has not been paid anything by Murry, Duncan, HRM or HCITCO.

REGISTRATION

After a duly diligent search, no record of application for registration as a broker-dealer under the name of George W Duncan, Daniel W Murry, HRM or HCITCO is found to exist in the records of the Indiana Secretary of State's Office, Securities Division, including a search of the CRD and the LARD, nor is there any evidence that any was ever filed.

In addition, after a duly diligent search, no record of application for registration of a security in the State of Indiana under the name of George W Duncan, Daniel W Murry, HRM or HCITCO is found to exist in the records of the Indiana Secretary of State's Office, Securities Division, nor is there any evidence that any was ever filed.

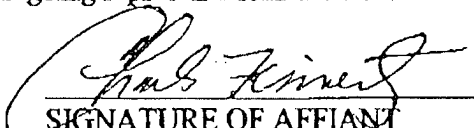
I SWEAR (AFFIRM), UNDER THE PENALTY OF PERJURY AS SPECIFIED BY IND. CODE § 35-44-2-1, THAT THE FOREGOING REPRESENTATIONS ARE TRUE.

2. Description of Defendant: white male, DOB: 08/20/1957, ht 5'05", wt 246 lbs, brown hair, green eyes, SS# xxx-xx-7550, IN OLN 1190109372.

FURTHER AFFIANT SAYETH NOT.

I affirm under the penalties for perjury that the foregoing representations are true.

DATED: 02/01, 2010.


SIGNATURE OF AFFIANT